

REMARKS

By the present amendment, claims 6 to 9 are pending in the application.

Support For Claims

New independent claim 6 is a combination of prior independent claim 1 and prior dependent claim 3.

New dependent claims 7, 8 and 9 correspond to prior dependent claim 4 and 5.

New matter is not being presented by the present amendment.

Allowable Subject Matter

The Office Action advised at page 3 that claim 3 was objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

By the present amendment, new independent claim 6 is a combination of prior dependent claim 3 and prior independent claim 1.

The phrase "consisting of" in prior dependent claim 3 has been changed to --consisting essentially of" in new independent claim 6 because of the additional components added by dependent claims 8 and 9 which correspond to original dependent claim 5. This was inherent in original dependent claim 3 because original dependent claim 5 added additional components Al_2O_3 , MgO , ZrO_2 or Y_2O_3 to original dependent claim 3.

The combination of WO `775 and JP `468 does not disclose or suggest the ceramic material of the present invention which does not include $MgO \cdot Al_2O_3$ (spinel). WO `775 and JP `468 do not disclose or suggest the indexes or any technical matters related to the indexes claimed. See Response filed August 22, 2003 (Certificate of Mailing dated August 19, 2003).

It is submitted that new independent claim 6, which is a combination of prior dependent claim 3 and prior independent claim 1 is patentable. Dependent claims 7-9, which depend from independent claim 6, are therefore also patentable.

CONCLUSION

It is submitted that in view of the present amendment and the foregoing remarks, the application is now in condition for allowance. It is therefore respectfully requested that the application, as amended, be allowed and passed for issue.

Respectfully submitted,

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